

Effective 5/10/2016

53B-2a-112 Applied technology colleges -- Relationships with other public and higher education institutions -- Agreements -- Priorities -- New capital facilities.

- (1) As used in this section, "higher education institution" means, for each applied technology college, the higher education institution designated in Section 53B-2a-108 that has a representative on the applied technology college's board of directors.
- (2) An applied technology college shall avoid any unnecessary duplication of career and technical education instructional facilities, programs, administration, and staff between the applied technology college and other public and higher education institutions.
- (3) An applied technology college may enter into agreements:
 - (a) with other higher education institutions to cultivate cooperative relationships;
 - (b) with other public and higher education institutions to enhance career and technical education within its region; or
 - (c) to comply with Subsection (2).
- (4) Before an applied technology college develops new instructional facilities, the applied technology college shall give priority to:
 - (a) maintaining the applied technology college's existing instructional facilities for both secondary and adult students;
 - (b) coordinating with the president of a higher education institution and entering into any necessary agreements to provide career and technical education to both secondary and adult students that:
 - (i) maintain and support existing higher education career and technical education programs; and
 - (ii) maximize the use of existing higher education facilities; and
 - (c) developing cooperative agreements with school districts, charter schools, other higher education institutions, businesses, industries, and community and private agencies to maximize the availability of career and technical education instructional facilities for both secondary and adult students.
- (5)
 - (a) Before submitting a funding request pertaining to new capital facilities and land purchases to the board of trustees, an applied technology college shall:
 - (i) ensure that all available instructional facilities are maximized in accordance with Subsections (4)(a) through (c); and
 - (ii) coordinate the request with the president of a higher education institution, if applicable.
 - (b) The State Building Board shall make a finding that the requirements of this section are met before the State Building Board may consider a funding request from the board of trustees pertaining to new capital facilities and land purchases.
 - (c) An applied technology college may not construct, approve the construction of, plan for the design or construction of, or consent to the construction of a career and technical education facility without approval of the Legislature.
- (6) Before acquiring new fiscal and administrative support structures, an applied technology college shall:
 - (a) review the use of existing public or higher education administrative and accounting systems, financial record systems, and student and financial aid systems for the delivery of career and technical education in the region;
 - (b) determine whether it is feasible to use those existing systems; and
 - (c) with the approval of the applied technology college board of directors and the board of trustees, use those existing systems.

Amended by Chapter 236, 2016 General Session